

REMARKS

Claims 1-3 and 5-11 remain in this application. Claim 4 has been canceled. Claims 1, 3, 5, and 7 have been amended.

In the Office Action, claims 1-11 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it was stated that the phrase "normal room temperatures" in claims 1, 3, and 7 renders the claims indefinite as it is not clear what room temperatures are considered "normal." Therefore, the word "normal" has been deleted from this phrase so that claims 1, 3, and 7 read "room temperatures." It is submitted that this amendment eliminates any indefiniteness in the claims. Withdrawal of the Section 112, second paragraph rejection of claims 1-11 is requested.

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Hermanus US 2,989,327. Reconsideration is requested.

The limitation that the material of the ring softens at engine operating temperatures has been added to claim 1. Hermanus does not teach an expendable alignment ring having an annular body formed of a material that is solid at room temperatures but softens at engine operating temperatures, as claim 1 requires. The material forming the annular alignment ring may be a thermoplastic that softens or melts at temperatures to which the ring is exposed during engine operation. This characteristic allows the alignment ring to be permanently compressed or displaced after use in aligning an engine crankshaft and torque converter, when the alignment ring is no longer required. The alignment ring is permanently deformed and becomes inactive in the assembly, i.e. the ring is expendable. Hence, the alignment ring is usable for alignment of components of an assembly, then later the ring is deformed to become inactive in the assembly without the need to remove the ring from the assembly. Hermanus does not teach this feature. In Hermanus, the machine element is an active element of the

assembly in which it is used, the machine element is never permanently deformed, and the machine element is not made of a material that softens and deforms at engine operating temperatures. Accordingly, claim 1 is not anticipated by Hermanus and the rejection on this ground should be withdrawn. Allowance of dependent claim 2 would also follow as a result of such action.

Claims 2-6 were rejected under 35 U.S.C. 103 as unpatentable over Hermanus. Reconsideration is requested.

As discussed above, claim 1 is allowable. Therefore, claim 2, which depends from claim 1, is also allowable.

Further, the limitation that the material of the ring softens at engine operating temperatures has been added to claim 3. This limitation has been inserted into claim 3 from claim 4. Accordingly, claim 4 has been canceled, and claim 5 has been amended to depend from claim 3 instead of claim 4. Hermanus does not teach or suggest an expendable alignment ring having an annular body formed of a material that is solid at room temperatures but softens at engine operating temperatures, as claim 3 requires. There is no teaching or suggestion of such a feature in Hermanus. Therefore, claim 3 is not rendered obvious by Hermanus and the rejection on this ground should be withdrawn. Withdrawal of the rejections of dependent claims 5-6 would also follow as a result of such action.

Regarding claim 5, Hermanus does not teach or suggest that the material of the ring is a thermoplastic.

Regarding claim 6, Hermanus does not teach or suggest that the thermoplastic is high-density polyethylene.

Claims 7-11 were found allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, second paragraph, discussed above. As previously stated, claim 7 has been amended to delete the word "normal" from the phrase "normal room temperatures." It is submitted that claim 7 is definite and allowable. Claims 8-11, depending from claim 7, should also be allowable.

This amendment is believed to be fully responsive to the issues raised in the Office Action and to place this case in condition for allowance. Favorable action is requested.

Respectfully submitted,

By 

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